

TOWNSHIP OF WALLORDINANCE NO. 32- 1990**AN ORDINANCE OF THE TOWNSHIP OF WALL AUTHORIZING AN EXCHANGE OF PROPERTY WITH THE WALL TOWNSHIP BOARD OF EDUCATION.**

WHEREAS, the Township of Wall is the owner of Lot 1 in Block 265 located between New Bedford Road, Belmar Boulevard and Municipal Court and upon a portion of that property is located the former Municipal Building; and

WHEREAS, the Township Committee has determined that a portion of the aforesaid property and the former Municipal Building is no longer required for Municipal use; and

WHEREAS, the Board of Education desires to obtain title to a portion of the aforesaid property and to utilize the building located thereon for public educational purposes; and

WHEREAS, the Board of Education of the Township of Wall is the owner of property known as Lot 11 in Block 723 located on Old Mill Road and on a portion of which is located the Old Mill Elementary School; and

WHEREAS, the Board of Education has determined that a portion of the aforesaid property is not needed for public educational purposes and the Township desires to acquire the same for use as open space and public park purposes; and

WHEREAS, N.J.S.A. 40A:12-16 authorizes the governing body of a municipality to exchange any lands, rights or interest therein for other lands desired for public use; and

WHEREAS, the Township Committee finds that the land to be

received in exchange from the Wall Township Board of Education is at least equal in value to the property to be conveyed in exchange to the Board of Education and further finds that the aforesaid exchange of properties would be in the best interest of the Township of Wall and its citizens;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wall in the County of Monmouth and State of New Jersey as follows:

Section 1. The appropriate Township Officials be and are hereby authorized to execute and deliver contracts, Deeds and any other documents and instruments for the purpose of conveying to the Wall Township Board of Education a portion of Lot 1 in Block 265 to be designated as New Lot 1 in Block 265, consisting of approximately 1.17 acres and on which is located the former Municipal Building all as shown on a map entitled "Proposed Minor Subdivision of Property in the Township of Wall, Monmouth County, New Jersey" prepared by Birdsall Engineering, Inc., John W. Massey, L.S., in consideration for the conveyance of the property referred to in Section 2 hereof to the Township of Wall.

Section 2. In exchange for the aforesaid conveyance, the Township of Wall shall receive the conveyance of property from the Board of Education of the Township of Wall consisting of a portion of Lot 11 in Block 723 to be known and designated as New Lot 28 in Block 723, consisting of approximately 15.55 acres of vacant land, all as shown on a plan entitled "Survey and Minor Subdivision of Lot 11, Block 723 in the Township of Wall, Monmouth County, New

Jersey" prepared by Bay Pointe Engineering Associates, Inc., Thomas Crader, L.S.

Section 3. The appropriate Township Officials be and are hereby further authorized to convey such utility or other reasons as may be necessary to effectuate the purposes and intent of this exchange of lands.

Section 4. Any portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 5. All Ordinances, or parts, thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect upon its passage and publication according to the law.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on June 27, 1990 and will be further considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on 7/11/90 at 8 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to, and up to and including, the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in the Township of Wall Town Hall to the members of the general public who shall request the same.

BEATRICE M. GASSNER
Township Clerk

Adopted August 15, 1990